

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA :

v. : Criminal No. 14-632-1

GEORGE TRIMIS :

O R D E R

AND NOW, this _____ day of _____, 2018, upon consideration of the government's motion pursuant to 28 U.S.C. Section 2044 to pay the defendant's restitution obligation with bail money, for the reasons set forth in the motion, the Court concludes that the motion should be granted, and, therefore, it is hereby

ORDERED that that the Motion of United States to Pay Criminal Monetary Penalties with Bail Deposit is GRANTED; and it is further

ORDERED that the Clerk of Court shall forthwith apply \$60,000.00 in funds belonging to the defendant that currently are held on deposit in the registry of this Court for purposes of a criminal appearance bail bond as payment for restitution owed by the defendant in this case.

**HONORABLE GENE E.K. PRATTER
United States District Judge**

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA :

v. : Criminal No. 14-632-1

GEORGE TRIMIS :

**MOTION OF UNITED STATES OF AMERICA
TO PAY CRIMINAL MONETARY PENALTIES WITH BAIL DEPOSIT**

The United States of America, by its attorneys, Louis D. Lappen, United States Attorney for the Eastern District of Pennsylvania, and Joseph F. Minni, Assistant United States Attorney, pursuant to 28 U.S.C. Section 2044, requests this Court to enter an Order directing the Clerk of Court to apply funds posted by the defendant for the purposes of a criminal appearance bail bond as payment for the restitution owed by the defendant in the above-captioned case. In support of this motion, the government avers as follows:

1. On December 4, 2014, the grand jury for this district returned an indictment charging the defendant, George Trimis, and his co-defendant with bank fraud, in violation of 18U.S.C. § 1344 (Count One); false statement in loan application, in violation of 18 U.S.C. § 1014 (Counts Two-Four); and conspiracy to money launder and aiding and abetting, in violation of 18 U.S.C. §§ 1956(h) and 2 (Count Five). On February 23, 2016, Trimis pleaded guilty to Counts One and Five of the indictment.
2. On February 17, 2015, Trimis posted with the Clerk of Court \$100,000 in cash bail to secure the conditions of pretrial release imposed in this case.

3. On February 22, 2016, this Court entered an Order authorizing the Clerk of Court to release \$40,000 from the cash bail as payment for counsel for the defendant. ECF No. 58. There remains a balance of \$60,000 of the cash bail posted, and the Clerk of Court currently maintains these funds on deposit with the registry of this Court.

4. On February 14, 2017, this Court sentenced Trimis and, among other things, ordered him to pay \$7,423,667 in restitution and a \$200 special assessment. To date, Trimis has paid the special assessment and he has received credit for partial payments made toward his restitution obligation. There remains a balance of 7,419,892 owed for restitution.

5. 28 U.S.C. Section 2044 provides, in relevant part:

On motion of the United States attorney, the court shall order any money belonging to and deposited by or on behalf of the defendant with the court for purposes of a criminal appearance bail bond (trial or appeal) to be held and paid over to the United States attorney to be applied to the payment of any assessment, fine, restitution, or penalty imposed upon the defendant.

See also 18 U.S.C. § 3613(a) (sentence of restitution or criminal fine is a lien in favor of the United States on all property and rights to property of the defendant); Local Criminal Rule 32.2 (Whenever a defendant has been sentenced to pay a fine or a fine and costs, the sentence shall constitute a lien in favor of the government on the bail deposit, if any, which can be removed only by the Court).

6. The remaining cash bail on deposit with the Court registry is property of the defendant that is subject to the government's lien for restitution and available for payment for payment of restitution imposed in this case. 18 U.S.C. §§ 3613(a), (c), and

3664(m)(1) (government enforces restitution as authorized by statute and by all other available and reasonable means). Payment of restitution with the remaining cash bail also will ensure that the defendant complies with the payment of the criminal financial obligations imposed by this Court. Accordingly, the government requests that this Court grant this motion and direct the Clerk to apply the cash bail posted by the defendant as payment for his criminal monetary obligations.

WHEREFORE, for the reasons set forth above, the government requests that this Court grant motion.

Respectfully submitted,

ZANE DAVID MEMEGER
United States Attorney

/s/ Joseph F. Minni
JOSEPH F. MINNI
Assistant United States Attorney
Deputy Chief, Asset Recovery and
Victim Witness Unit

Date: March 23, 2018.

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that a true and correct copy of the MOTION OF
UNITED STATES OF AMERICA TO PAY CRIMINAL MONETARY PENALTIES
WITH BAIL DEPOSIT was served on the following by placing same in the United States
mail, postage prepaid, addressed as follows:

George Trimis
Reg. No. 80980-053
MDC Brooklyn
Metropolitan Detention Center
P.O. Box 329002
Brooklyn, NY 11232

/s/ Joseph F. Minni
JOSEPH F. MINNI
Assistant United States Attorney

Date: March 23, 2018.